

# Environment Committee

## JOINT FAVORABLE REPORT

**Bill No.:** SB-586

**Title:** AN ACT CONCERNING THE CONTROL OF NUISANCE WILDLIFE.

**Vote Date:** 3/18/2019

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/1/2019

**File No.:** 565

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

### SPONSORS OF BILL:

Sen. Eric C. Berthel, 32<sup>nd</sup> Dist.

Sen. Henri Martin, 31<sup>st</sup> Dist.

Sen. Craig Miner, 30<sup>th</sup> Dist.

Rep. David T. Wilson, 66<sup>th</sup> Dist.

### REASONS FOR BILL:

With current re-forestation of Connecticut, the bear population has rebounded to where bears are now common in many parts of the state, estimated at a population of over 700 individuals. As the bear population grows, there is greater interaction between humans and bears – humans provide easy access to food sources and bears have no natural predators. These interactions can lead to nuisance issues and aggressive bear interactions. Such interactions are especially problematic to farmers, whose livelihoods depend on crops or livestock that often attract bears and other wildlife. Current law, section 26-47 of the general statutes, allows a farmer, or his/her designee, to manage nuisance wildlife with a permit issued by the Department of Energy and Environmental Protection (DEEP) when it is shown that the wildlife is causing unreasonable damage to agricultural crops. However, many testified and shared opinion with the committee that Connecticut farmers are not limited to growing agricultural crops; some are dairy farmers or beekeepers. Hardships are faced when bears, or other wildlife, take the life of a farm animal. This bill seeks to address the concerns shared by such farmers by allowing DEEP to issue permits allowing a farmer to manage nuisance wildlife when such wildlife is causing unreasonable damage to agricultural crops, livestock, poultry, or bees.

**Substitute Language – LCO No. 6268**

The original bill sought to allow for a limited black bear hunting season in Litchfield County for the management of the growing black bear population. Substitute language narrows the original intent of the bill by solely addressing concerns from farmers in regards to damages caused by black bears and other nuisance wildlife. Substitute language amends subsection (a) of section 26-47 to: (1) include livestock, poultry, and bees as permissible damages for the issuance of a DEEP permit regarding the management of nuisance wildlife, (2) allow DEEP to determine the time and day necessary to control the taking of such wildlife, and (3) allow the farmer or his/her designee to keep any wildlife taken pursuant to such permit.

#### **RESPONSE FROM ADMINISTRATION/AGENCY:**

**Katie S. Dykes, Commissioner, Department of Energy and Environmental Protection (DEEP)**: Supports the bill. The black bear population has been growing since the late 1980's and are now well established in northwestern Connecticut; they have also been reported in 153 of Connecticut's 169 cities and towns. Both research conducted separately by DEEP and the University of Connecticut (UConn) have led to similar conclusions – the black bear population is continually growing and becoming increasingly common at a rate of about 10% annually, and will eventually reach a statewide total of around 3,000 animals. With the increase in population there has also been an increase in reports of nuisance bears and of bold and aggressive bear behavior. DEEP's current bear management involves a broad array of nonlethal strategies; however, none has any effect on population growth and distribution and the relocation of bears is not a viable option as no other state in the region will allow relocation of any Connecticut bear into their state.

#### **NATURE AND SOURCES OF SUPPORT:**

**Senator Eric Berthel, 32<sup>nd</sup> Senator Dist.**: The black bear population in Connecticut has become unmanageable. In Litchfield County, wildlife biologists estimate that black bear population is growing 10% annually. Although rare, Black bears are large predatory animals that could attack humans – one such case occurred in New Jersey. Additionally, Biologists at DEEP have requested authorization to allow a limited, high-regulated black bear hunting season because it is the only effective tool to bring the population to manageable proportions.

**Maria Capriola, Town Manager, Town of Simsbury**: Provided a memorandum with a summary of the Town of Simsbury's internal and external data on the increase in black bear population in the Town of Simsbury as of October 26<sup>th</sup>, 2018. The memorandum also included the following attachments: (1) Internal Bear Data, (2) Internal bear chart, (3) DEEP statewide data, (4) DEEP statewide chart, (5) map of all 2018 bear calls for service in Simsbury, (6) memorandum in regards to managing bears and garbage in Simsbury, (7) Simsbury Police Department Reported Call Type: Time Analysis Year to Date.

**Greg Chasko**: Shared personal testimony as a certified wildlife biologist with over 40 years of professional experience in Natural Resources Management. In Connecticut, black bear sows are birthing an average of 2.1 cubs annually. This is an extremely high reproduction rate for the species. Additionally, bears in Connecticut are breeding at a younger age than bears in other areas and in 2018 there were 63 reported road kills of bears in the state. Furthermore, bears contribute to agricultural problems, cause nuisance problems, and pose

public safety issues when human contact occurs in populated areas. Data from bear hunts in New Jersey and Pennsylvania have shown nuisance bears are harvested at higher proportion to non-nuisance bears.

**Representative Leslee Hill, 17<sup>th</sup> Assembly Dist.:** The over population of bears is not limited to Litchfield County. Seven of the ten communities with the highest bear sightings are located in Hartford County. This bill should be expanded to include Hartford County. Of the 79 bear complaints received by Canton Police, eleven were forced home entries.

**Chris M. Marino, Secretary, Northwest CT Sportsman's Council (NWCSC):** The bear-human interaction has become problematic in the Litchfield county area. Bears are no longer deterred by whistles or loud noises. Keeping garbage cans locked and removing bird feeders does not protect domestic animals, crops, or people. Outdoors activities can be done without taking into account a potential bear encounter. Many persons are purchasing many non-lethal products such as bear spray or rubber buckshot; others arm themselves in case of encounter with a bear. The number of sightings, house break-ins and bear/vehicle collisions has increased over time. A limited and regulated bear hunt would manage the bear population and put a healthy avoidance of human interaction.

**Senator Henri Martin, 31<sup>st</sup> Senate Dist.:** DEEP biologists say that Litchfield County is overpopulated with bears and the only proven method to control bear population is hunting. This bill holds hunters of bear to the same standards as other wildlife. Existing state law is to remove all usable meat for consumption, so that nothing is wasted. This is in contrast to the current practice by DEEP; the bear is euthanized then discarded. Hunters would need to abide by all hunting regulations, on public or private land. According to biologists, bears need to have a healthy fear of humans to avoid the rising bear-human interactions. Vermont and Maine have bear hunting season, both have a health bear population and report fewer bear-human interactions due the fear bears have of humans.

**Don Tuller, President, Connecticut Farm Bureau Association (CFBA):** Bears are animals that cause havoc on farms, causing significant damage to crops. CFBA provides personal testimony of Laurelbook Farm's \$21,000 destruction in crop damage from bears. Although there are nonlethal methods being used to control bears, these are not effective.

**Eric Wellman, First Selectman, Town of Simsbury:** The bill should expand to Hartford County. Simsbury has multiple bear occurrences within town. It is only a matter of time where are resident is either seriously injured or killed. The Department of Energy and Environmental Protection (DEEP) states that the bear population will increase at a rate of 10% to 15% per year without appropriate steps being taken to control the bear population. Simsbury's experience with using non-lethal steps and removing access to food has had a limited success. The bears have become desensitized to non-lethal methods deployed by animal control and police officers. Hunting is the only effective and cost effective solution to resolve the bear issue.

*The Environment Committee received approximately 25 written testimonies supporting the bill, in large part explaining that (1) there is an overpopulation of bear in the state, (2) the bear population continues to rise at a rapid rate, and (3) the increased number in human-bear conflicts has become a public safety concern.*

## **NATURE AND SOURCES OF OPPOSITION:**

**Jo-Anne Basile, Executive Director, Connecticut Votes for Animals (CVA):** CVA opposes the bill because of the following: (1) Scientific studies demonstrate that recreational hunting is not effective in solving problems with nuisance bears, (2) bears hunted in rural areas will have no effect on behavior of the more common suburban bears, (3) hunters in Connecticut have killed ten people and have injured 114 people in hunting accidents between 1982 and 2016, (4) more than 1.2 million residents participate in wildlife watching while the number of hunters has decreased in the state, (5) wildlife watching brings in more than \$935 million to the state's economy, and (6) farmers already have the right to use force in protecting their property.

**Lori Brown, Connecticut League of Conservation Voters (CTLCV):** Connecticut's black bears are important to the local ecosystem. The numbers of black bears in Connecticut are already small, which makes them vulnerable. Additionally, black bears are slow to reproduce. New Jersey and Florida bear hunting resulted in indiscriminate and over hunting of the animals. At least ten scientific studies have shown that recreational hunting does not have an impact on human-bear conflicts. Proponents of bear hunting "often cite 'problem' bears that damage or destroy crops and property or threaten human lives." However, the state has existing laws that manage problem bears. Connecticut should adopt an education-based public safety strategy to reduce conflicts between humans and bears. In 2014, Yosemite Park reported a 92% decrease in human-black bear conflicts do education programs.

**Annie Hornish, Connecticut Senior State Director, The Humane Society of the United States:** The Humane Society of the United States opposes the bill for the following reasons: (1) trophy hunting the small black bear population is not based on scientific approach, (2) trophy hunting bears fails to address human-bear conflicts, (3) bears are a slow reproducing species that are highly susceptible to human persecution, (4) human-bear conflicts are caused by food availability and not bear numbers, (5) solutions for addressing human-bear conflicts must be multi-faceted, (6) wildlife watchers outnumber wildlife recreational activities, and (7) black bears are important ecological actors that increase the biodiversity of their habitats.

**Susan Masino, Connecticut State Grange Legislative Committee (The Grange):** Although there are many members of the Grange who are hunters, the hunters who have personally hunted bear opposed this bill and there was near unanimous support for not hunting bears. The increase in human-bear interaction is because (1) they are often baited with human food and (2) due to the recent development and logging in the Simsbury/Avon area. Bear hunting will create orphan bears leading to more nuisance bears. A solution to address this problem is better education and to consider fines to ensure that people are not feeding bears.

**Fran Silverman, Communications Director, Friends of Animals:** There were over 8,900 sighting of bears in Connecticut last year according to a Department of Energy and Environmental Protection (DEEP); however, not every sighting is a unique bear. According to a 2014 UConn study, there are just 200 bears in the Northwest corner. According to DEEP, the state has a capacity for 2000 bears. Hunting is not the most effective strategy to manage bear populations. Bears remaining after a hunt "will seek food if habituated by humans or

harass livestock that are improperly fenced.” Additionally, since 1982 there has been 10 hunting fatalities in Connecticut, yet no humans have been killed by bear-human interactions. A strong public education program reducing the human-bear conflict is the best course of action for Connecticut. The state should focus on educating the public about mitigating human-bear conflict by (1) strengthening regulations deterring the feeding of bears and of properly securing livestock, and. (2) posting signs on state trails of what hikers should do when encountering a bear.

**Harry White:** Shared personal testimony as a “Yale-trained professional forest ecologist” and as the conservation director for three area land trusts. It is critical to understand bear behavioral ecology when considering a bear hunt. If a mother bear is hunted, bear cubs “will have to learn on their own,” this scenario will become common and will lead to more human-bear interactions. Peer-reviewed studies have shown that in areas with hunting pressure, bears will seek areas where hunters do not exist. Hunting pressure leads bears to areas where hunting is not allowed, such as the Boundary Waters area of Minnesota that is used for research by the US Fish and Wildlife study, or areas where there is hunter-free access to garbage resources. Therefore, the hunting of rural bears will lead them to move into the suburbs.

*The Environment Committee received approximately 75 written testimonies in opposition to the bill, in large part explaining that (1) large number of bear sightings does not equate to a large bear population because bears reproduce slowly, (2) trophy hunting will not prevent human-bear conflicts and may cause rural bears to migrate into suburban areas, and (3) farmers and others who are impacted by damages caused from bears already have remedies to manage such nuisance bears.*

**Reported by: Steve Smith / Ussawin R. Bumpen    Date: 04/8/2019**